

FIGHTING GENOCIDE IN THE 21ST CENTURY:

A STRATEGY FOR BUILDING A BETTER FUTURE

PROF. FRANK CHALK
DEPARTMENT OF HISTORY
AND
CO-DIRECTOR, MONTREAL INSTITUTE FOR GENOCIDE
AND HUMAN RIGHTS STUDIES
(www.migs.org)

I. THE PROBLEM BEFORE US

At the start of the 21st century, the slogan "Never Again" threatens to become an empty phrase, mocking our lack of humility and our pretensions to omniscience in preventing genocide. The examples of the failures of the international community to prevent genocide and crimes against humanity continue to multiply: Rwanda, Burundi, East Timor, Bosnia, and Kosovo represent only the tip of the iceberg.

Three unpleasant realities have dashed Canadian hopes for the formation of a United Nations' military rapid deployment force and brought about the collapse of the effort to develop one:

1. The under-funding of the UN;
2. The widespread disillusionment with UN humanitarian missions among politicians; and
3. The emergence of a US Congress hostile to humanitarian interventions involving the use of American ground forces, otherwise known as the Jesse Helms Factor.

The Great Powers are giving only weak support to rebuilding societies and restoring the livelihoods of people in post-genocide societies. Their lack of foresight endangers world peace and security; it leads to further loss of life and suffering; and it breeds new human rights violations and obstacles to reconciliation. Observe the example of Kosovo, where judges appointed by the UN receive a pittance as salaries, garbage rots uncollected in the streets, and the Great Powers have even failed to provide Bernard Kouchner with the promised number of trained police officers.

Nor are regional organizations like the Organization of African Unity (OAU) and the Economic Community of West African States (ECOWAS) doing a better job of humanitarian intervention. The OAU charter bars its members from interfering in the internal affairs of its members, yet they constantly interfere in each others internal affairs (A good example is the current involvement of Zimbabwe, Uganda, Rwanda and other states in multiple invasions of the Democratic Republic of the Congo.)

The OAU is under funded and an administrative disaster. Its members have not paid half of their assessed dues for the second year in a row. The OAU's unpaid back dues now stand at \$58.3 million. In Liberia and Sierra Leone, ECOWAS troops failed to defeat diamond-thieving rebel leaders, who then had to be integrated, with predictable negative results, into the governments of both countries.

Let us also examine the economic and social costs of the current situation. Far more civilians than soldiers are dying in armed conflicts and most wars are fought within states rather than between them. Ethnic and nationalist intra-state conflicts account for over 80 percent of the dozen or so UN peace operations established since 1992. Of the 58 armed conflicts under way in 1995, 49 were civil wars over ethnic politics, secession, and autonomy. Ninety percent of the casualties of these wars are civilians.

Huge flows of refugees and enormous numbers of internally displaced persons are endemic in most parts of the world. The United Nations Office for the High Commissioner for Refugees (UNHCR) estimates that in January 1999 the number of refugees, internally displaced persons, and recent returnees stood at 21.5 million human beings or one out of every 280 people on earth.

The costs of humanitarian relief mount steadily while early military intervention to prevent genocides and crimes against humanity are opposed by the Great Powers despite concrete evidence that early military interventions are far less expensive than feeding and housing the refugees and internally displaced persons of societies that have been torn apart and destroyed. From the early 1990s to the mid-1990s, about "97 percent of allocations by the European Commission were for war-related emergencies,

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and the WFP [World Food Program] allotted only \$19 million for natural disasters and some \$1.5 billion to conflict-related emergencies." (See Thomas Weiss, Military-Civilian Interactions, p. 20)

II. TEN MEASURES FOR THE 21ST CENTURY

First, we need to *support the* formation of the embryonic citizen participation and political action organization called "Campaign Against Genocide," and join in the fulfillment of its four main tasks:

- a. To educate the public at the grass roots level about the causes of genocide and the means of its prevention through direct mailings and web sites;
- b. To lobby politicians and demonstrate that the public wants its legislative representatives to employ public funds in the effort to combat genocide and other crimes against humanity;
- c. To organize public support for those candidates in Congressional and Parliamentary elections who favor judicious humanitarian intervention; and
- d. To cooperate with academics and government researchers developing reliable situational criteria to inform policy makers about when to mount international humanitarian interventions and what pitfalls to avoid.

Second, we need to create a number of clearly earmarked and nationally-based military rapid deployment units responsive to the Security Council, as well as NATO and other regional organizations, for use in efforts to maintain international peace and security by intervening in states without law.

Third, we should fight for creation of the International Criminal Court (ICC) envisioned in the Rome Statute of July 1998. Until it comes into existence, we should support the work of the International Criminal Tribunal for the Former Yugoslavia and Rwanda, and the other special tribunals that may develop for Cambodia and other countries that have suffered crimes against humanity. And, when criminal prosecutions are not possible, we should make every effort to introduce commissions for truth and reconciliation, and international commissions of inquiry to study the roots of specific genocides. Combating impunity for perpetrators of genocide, be they heads of state, former heads of state, or lower level politicians, soldiers and intellectuals will require further work until the principle, embodied long ago in Article Four of the Genocide Convention, that persons committing genocide and related acts will be punished whether they are "constitutionally responsible rulers, public officials or private individuals" achieves acceptance in the courts of all lands.

Fourth, we should work to expand funding for scholarly research on the signs that a genocide is imminent and conduct sophisticated studies setting criteria for when to intervene as well as when not to intervene. A guiding principle of these studies must be recognition of the fact that all humanitarian intervention is inherently political and that easily made distinctions between bad guys and good guys are rarely possible in intra-state conflicts. Our interventions should be waged on behalf of the members of the unarmed civilian population who seek peaceful solutions of conflicts and harmony between ethnic groups.

Fifth, we should encourage expansion of existing early warning, intelligence-based systems and publicize the six major early warning signs that indicate a genocide is imminent: 1) hate propaganda depicting the intended victim group as a lethal danger to the survival of the perpetrator's group; 2) the preparation of death lists and the killing of persons listed on them; 3) the introduction of restrictions barring journalists from travelling freely around the country; 4) the use of code words in public and private discourse to conceal the planned killings; 5) the creation and training of special murder units; and 6) the detention or assassination of military and police officers who oppose the planned genocide.

Sixth, we must seek amendments to the UN Convention for the Prevention and Punishment of the Crime of Genocide that would widen its protection in the longrun to include excluded groups such as social classes, political movements, homosexuals and the mentally and physically ill. We should also work to criminalize ethnic cleansing through a new international convention barring ethnocide.

Seventh, we must encourage construction of more anti-hate radio production facilities and powerful transmitters to counter hate propaganda in countries heading towards genocides. This effort should involve efforts to train and equip more non-government organization workers from Africa and Asia able to write and broadcast programs that entertain listeners at the same time that they advocate the peaceful solution of differences

Eighth, we must work to educate politicians and the public to recognize that breakdowns of law and order in some societies are severe enough to require that they be placed under United Nations or regional security organization trusteeship. To facilitate the success of such trusteeships, we need to create specially-trained civil police units for deployment to countries under long-term international supervision.

Ninth, we should enlist world-wide support for the Canadian Government's recent initiative seeking a global convention prohibiting the international transfer of military small arms and light weapons to non-state actors, keeping in mind that in the 49 regional conflicts that have broken out since 1990, small arms and light weapons were the only arms used in 46 of the conflicts.

Tenth, we should extend to all victims of crimes against humanity the principle of compensation and restitution pioneered by Jewish organizations acting on behalf of survivors of the Holocaust. The survivors of the 1972 genocide in Burundi, the survivors of the 1994 genocide in Rwanda, and many others must be granted special financial assistance to help them in their struggle to rebuild their lives and to improve the lives of their children.

III. CONCLUSION

The enforcement of the UN Genocide Convention was totally neglected by the Great Powers for 45 years, from its origins in 1948 until 1993, the year in which the Security Council created the International Criminal Tribunal for the Former Yugoslavia. The euphoria and widespread conviction that a new age had dawned following the conclusion of the Gulf War in 1991 passed quickly with the development of the "mission cringe" that afflicted the Pentagon and Canada's Department of National Defense following the Somalia debacles and the disaster of the 1994 genocide in Rwanda, a genocide, you will recall, facilitated by the refusal of the Great Powers and the UN Department of Peace Keeping Operations to fulfill any of Canadian Major General Romeo Dallaire's requests for the reinforcement of his 2,700 troops by the addition of another 5,000 soldiers to his command or to authorize his seizure of arms stored for the purpose of carrying out the genocide in Kigali.

The precedent of the NATO intervention in Kosovo, led by the United States and its allies, gives the advocates of humanitarian intervention a second chance. If we are to use that opportunity well, we must respond judiciously, operating under the discipline embedded in the Hippocratic Oath's injunction "that above all, one must do no harm." We should recognize and act on the knowledge that in the Bosnia and Rwanda we did do harm, creating a false sense of security in Bosnia by organizing illusory safe havens and by failing in Rwanda to enforce strictly the terms of the Arusha Accords. These mistakes were compounded by the fact that, following the Rwanda genocide, the UN and Western non-government organizations fed Interhamwe killers while assisting vulnerable groups in the refugee camps of northeastern Zaire, and that in Bosnia the UN's transportation of threatened populations and its failure to protect Muslim refugees around Srebrenica facilitated ethnic cleansing and the commission of new crimes against humanity.

Clio, the goddess of history, and Minerva, the goddess of wisdom, have important roles to play in the search for more effective ways to prevent genocide. Thomas Weiss, now a distinguished professor of political science at the City University of New York, urges us to avoid the trap of making predictions based on developing linear projections from recent events. Those who fight against genocide should never bind themselves too closely to contemporary events and headlines. Law Professor Irwin Cotler, the Member of Parliament for Montreal's Mt. Royal riding, reminds us of Aldous Huxley's observation that "life must be lived forwards, but it can only be understood backwards." History has important lessons to teach us. We owe the search for those lessons to the victims of past genocides and to those whom we would protect from future genocides. Let us go forward inspired by the fact that we cannot afford to fail. Let our slogan be: "Pragmatists and visionaries of the world unite. There is much work to be done."